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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/422,387	10/21/1999	MOSHE ZILBERSTEIN	2559/1F420-U	5469

7590 12/11/2002
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NEW YORK, NY 10022

EXAMINER

DINH, KHANH Q

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 12/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/422,387

Applicant(s)
Zilberstein et al

Examiner
Khanh Dinh

Art Unit
2155



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Oct 10, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

1. This is in response to the Request for Continued Examination filed on 10/10/2002.
- . Claims 1-19 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacNaughton US pat. No.6,020,884 in view of Bunney US pat. No.6,487,584.

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As to claim 1, MacNaughton discloses a method for facilitating a chat session between a first user and a second user, both visiting a first web server (18 fig.1A), the method comprising:

receiving, from the first user, a first user ID (user preference) corresponding to the first user and an address of the first web server (see fig.1A, 1B, abstract, col.7 lines 9-56, col.8 lines 26-41 and col.9 lines 6-52). It is inherent that every device in the network has an address including the Web Server.

receiving, from the second user, a second user ID corresponding to the second user and the address of the first web server providing and providing to the first user, at least an indication of the second user ID (col.9 lines 6-52);

receiving, from the first user, a request to open one of a chat session with the second user and transmitting, to the second user, an indication that the first user has requested a chat session (using notifications, see col.9 line 6 to col.10 line 32);

receiving, from the second user, an acceptance to enter the chat session designated by the first user (see col. 9 line 6 to col.10 line 32).

MacNaughton does not disclose using the computer system in a semi-public chat room.

However, Bunney discloses the chat session between users in public or semi-private discussion groups (see abstract, col.7 line 32 to col.8 line 67 and col.9 lines 1-58). It would have been obvious if not inherent to one of the ordinary skill in the art at the time the invention was made to utilize Bunney's teaching into the computer system of MacNaughton to control a chat session because it would have allowed community organizers to schedule events such as multicast, chats

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with public figures or video conferences at the most auspicious time and provided more utilizations of the computer systems in the network environment.

As to claim 2, MacNaughton discloses the chat session is a public chat session and wherein the chat session is visible to other users (see col.9 lines 6-52).

As to claim 3, MacNaughton discloses the chat session is a private chat session and wherein the chat session is not visible to other users (see col.9 line 27 to col.10 line 32).

As to claim 4, MacNaughton discloses the chat session is a semi-public chat session and wherein the chat session is visible only to users having a predetermined user profile (see col.9 line 27 to col.10 line 32 and col.8 lines 10-57).

As to claim 5, MacNaughton discloses receiving, from the first user, a query for information regarding other users visiting the first web site, and searching a user database to determine which users are visiting the first web site (see col.8 line 11 to col.9 line 52).

As to claim 6, MacNaughton discloses the query including a request for other users predetermined personal data (see col.9 lines 6-52).

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Claim 7 is rejected for the same reasons set forth in claim 1.

As to claims 8 and 9, MacNaughton discloses displaying to the user the usage information in a graphical format and text format (see col.1 line 42 to col.2 line 46 and col.3 line 42 to col.4 line 42).

As to claims 10 and 11, MacNaughton discloses the usage information is displayed automatically to the user and only upon a command generated by the user (see col.7 line 9 to col.8 line 25).

As to claim 12, MacNaughton discloses:

receiving, from the first user, a first user ID (user preference) corresponding to the first user and an address of the first web server (see fig.1A, 1B, abstract, col.7 lines 9-56, col.8 lines 26-41 and col.9 lines 6-52);

receiving, from the second user, a second user ID corresponding to the second user and the address of the first web server providing and providing to the first user, at least an indication of the second user ID (col.9 lines 6-52);

receiving, from the first user, a request to open one of a chat session with the second user and transmitting, to the second user, an indication that the first user has requested a chat session (using notifications, see col.9 line 6 to col.10 line 32);

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receiving, from the second user, an acceptance to enter the chat session designated by the first user (see col. 9 line 6 to col.10 line 32).

MacNaughton does not disclose using the computer system in a semi-public chat room.

However, Bunney discloses the chat session between users in public or semi-private discussion groups (see abstract, col.7 line 32 to col.8 line 67 and col.9 lines 1-58). It would have been obvious if not inherent to one of the ordinary skill in the art at the time the invention was made to utilize Bunney's teaching into the computer system of MacNaughton to control chat session because it would have allowed community organizers to schedule events such as multicast, chats with public figures or video conferences at the most auspicious time and provided more utilizations of the computer systems in the network environment.

Claim 13 is rejected for the same reasons set forth in claim 1. As to the added limitation, MacNaughton discloses a processor (28 fig.1A).

As to claim 14, MacNaughton discloses:

receiving, from the user (user preference) a designation of the first web page as a homepage and monitoring usage of homepage by a plurality of users (see fig.1A, 1B, abstract, col.5 line 42 to col.6 line 61, col.8 lines 26-41 and col.9 lines 6-52);

transmitting data representative of the usage to the user when the user is visiting a second web page (see col.6 line 12 to col.7 line 7).

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Claim 15 is rejected for the same reasons set forth in claim 14. As to the added limitations, MacNaughton discloses a processor (28 fig.1A) and a memory for storing processing instructions (Via Community Server, see col.5 line 42 to col.6 line 61).

Claims 16 and 17 are rejected for the same reasons set forth in claim 12.

Claim 18 is rejected for the same reasons set forth in claim 12.

Claim 19 is rejected for the same reasons set forth in claim 1. As to the added limitation, MacNaughton discloses a processor (28 fig.1A).

Response to Arguments

4. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Claims 1-19 are **rejected**.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh, can be reached on (703) 305-9648. The fax phone numbers for this group are:


After Final: (703) 746-7239

Official: (703) 746-7239

Non-Official/ Draft: (703) 746-7240

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

Khanh Dinh
Patent Examiner
Art Unit 2155
12/6/2002


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100